

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 20, 2009

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bilyeu, McGee, McKague, and Werk, absent and formally excused by the Chair; and Senators Bair, Brackett, Broadsword, Cameron, Darrington, Hammond, Keough, LeFavour, Mortimer, Siddoway, and Stegner, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Michele Jenkins, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 19, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 20, 2009

The JUDICIARY AND RULES Committee reports that [S 1158](#), [S 1159](#), [S 1160](#), [S 1161](#), and [SCR 110](#) have been correctly printed.

DARRINGTON, Chairman

[S 1158](#) was referred to the Health and Welfare Committee.

[S 1159](#) was referred to the Education Committee.

[S 1160](#) was referred to the Transportation Committee.

[S 1161](#) was referred to the Judiciary and Rules Committee.

On request by Senator Davis, granted by unanimous consent, [SCR 110](#) was referred to the Commerce and Human Resources Committee.

March 19, 2009

The TRANSPORTATION Committee reports out [S 1150](#) with the recommendation that it do pass.

MCGEE, Chairman

[S 1150](#) was filed for second reading.

March 19, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1151](#) and [S 1152](#) with the recommendation that they do pass.

ANDREASON, Chairman

[S 1151](#) and [S 1152](#) were filed for second reading.

March 19, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 159](#) and [H 217](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, [H 159](#) and [H 217](#) were referred to the Fourteenth Order of Business, General Calendar.

Senator Darrington was recorded present at this order of business.

March 19, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Thomas P. Baskin to the Idaho Industrial Commission, term to expire January 13, 2015.

ANDREASON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 19, 2009

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 205](#) and [H 206](#) with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

HILL, Chairman

[H 205](#) and [H 206](#) were filed for second reading.

Senator Stegner was recorded present at this order of business.

March 19, 2009

The EDUCATION Committee reports out [H 157](#), as amended, and [H 212](#) with the recommendation that they do pass.

GOEDDE, Chairman

[H 157](#), as amended, and [H 212](#) were filed for second reading.

March 19, 2009

The EDUCATION Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

William "Bill" Goesling to the Public Charter School Commission, term to expire May 12, 2012.

GOEDDE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

March 19, 2009

Dear Mr. President:

I transmit herewith Enrolled [H 143](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 143](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Senators Bair, Brackett, Broadsword, Cameron, Hammond, Keough, LeFavour, Mortimer, and Siddoway were recorded present at this order of business.

The President Pro Tempore announced that [SCR 109](#) was before the Senate for final consideration.

Moved by Senator Corder, seconded by Senator Winder, that [SCR 109](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes,

Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 31.

NAYS—None.

Absent and excused—Bilyeu, McGee, McKague, Werk. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 109](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[S 1146](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Lodge and Hammond arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 31.

NAYS—None.

Absent and excused—Bilyeu, McGee, McKague, Werk. Total - 4.

Total - 35.

Whereupon the President declared [S 1146](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 142](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 31.

NAYS—None.

Absent and excused—Bilyeu, McGee, McKague, Werk. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared [H 142](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 10](#) retained its place on the Third Reading Calendar for one legislative day.

Senator McGee was recorded present at this order of business.

[H 87](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Bilyeu, McKague, Werk. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 87](#) passed, title was approved, and the bill ordered returned to the House.

[H 103](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Bilyeu, McKague, Werk. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 103](#) passed, title was approved, and the bill ordered returned to the House.

[H 104](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—None.

Absent and excused—Bilyeu, McKague, Werk. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [H 104](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 12:03 p.m. until the hour of 10:30 a.m., Monday, March 23, 2009.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary